REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1, 3, 5 and 48-60 are pending. Claims 1, 3, 5 and 48-60 stand rejected.

Claims 1, 48, 54, and 56 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 3, 5 and 48-60 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,714,870 of Dunstan ("Dunstan").

Applicant has amended claim1 to particularly point out that reading a time of exiting a reduced power consumption state is performed immediately prior to exiting the reduced power consumption state, wherein exiting the reduced power consumption state is caused by execution of an interrupt routine. Storing the time of exiting the reduced power consumption state in a register is performed immediately prior to exiting the reduced power consumption state. That is, the exiting time is read and stored immediately prior to the exiting the reduced power consumption state.

The Examiner stated that "Dunstan discloses...reading the time prior to exiting the reduced power state and storing said time...in step 120..." (Office Action, p. 3, 11/16/05)

Applicant respectfully disagrees. Dunstan discloses

.... Upon being invoked, ideally as close as possible to the time when host 1 is entering a suspended condition, power consumption monitor 4 determines the present capacity of battery 2 (Step 110) and the present reading of real-time clock 5 (Step 120). Power consumption monitor 4 stores these values in non-volatile store 7 as a pre-suspend battery charge capacity and a pre-suspend time indicator (Step 130). ....Upon being invoked again, ideally as close as possible to the time when host 1 is reactivated after being suspended, power consumption monitor 4 again determines the present capacity of battery 2 (Step 150) and the present reading of real-time clock 5 (Step 160).

(Dunstan, col. 6, lines 33-44) (emphasis added)

In particular, Dunstan discloses

> In one alternate embodiment, power consumption monitor 4 may be configured to periodically update the stored pre-suspend battery charge capacity and time values (Step 110-Step 130) without regard to whether host 1 is about to enter a suspended condition. In the event host 1 does enter a suspended condition, the charge capacity and time values used to calculate capacity loss (Step 180) will be the most-recent sampling prior to the suspend. While potentially less accurate than the preceding embodiment, this embodiment offers the advantage of not having to detect initiation of a suspended condition (Step 100).

(Dunstan, Figure 3, col. 6, lines 29-39) (emphasis added)

Thus, Dunstan merely discloses reading the time (step 120) prior to entering the suspended condition (step 140) and reading the time (step 160) immediately after exiting the suspended condition (step 140), in contrast to reading a time of exiting a reduced power consumption state immediately prior to exiting the reduced power consumption state, wherein exiting is caused by execution of an interrupt routine, as recited in amended claim 1. Additionally, Dunstan fails to disclose storing the time of exiting the reduced power consumption state in a register immediately prior to exiting the reduced power consumption state, as recited in amended claim 1.

It is respectfully submitted that Dunstan fails to disclose, teach, or suggest discussed limitations of amended claim 1.

Therefore Applicant respectfully submits that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Dunstan.

Because amended claims 48, 54, and 56 include at least the discussed limitations, Applicant respectfully submits that amended claims 48 and 56 are not obvious under 35 U.S.C. § 103(a) over Dunstan.

Given that claims 2, 3, 49-53, 55 and 57-60 depend from respective amended independent claims 1, 48, 55, and 56, and add additional limitations, Applicant respectfully submits that claims 2, 3, 49-53, 55, and 57-60 are not obvious under 35 U.S.C. § 103(a) over Dunstan.
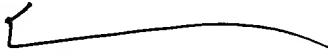
CONCLUSION

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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